

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE MORGAN STANLEY MORTGAGE
PASS-THROUGH CERTIFICATES
LITIGATION,

This Document Relates To:

ALL ACTIONS.

MASTER FILE NO. 09-CV-2137-KBF

ECF Case

CLASS ACTION

**LEAD COUNSEL'S NOTICE OF APPLICATION AND APPLICATION
FOR AN AWARD OF ATTORNEYS' FEES AND EXPENSES**

PLEASE TAKE NOTICE that, pursuant to the Court's September 10, 2014 Order Preliminarily Approving Settlement and Providing for Notice (ECF No. 309), and the Court's September 15, 2014 Order (ECF No. 311), on December 18, 2014, at 1:00 p.m. in Courtroom 15A at the United States District Court for the Southern District of New York, 500 Pearl Street, New York, New York 10007, the Honorable Katherine B. Forrest presiding, Co-Lead Counsel Bernstein Litowitz Berger & Grossmann LLP and Robbins Geller Rudman & Dowd LLP will, and hereby do, move for an award of attorneys' fees and expenses in connection with the proposed Settlement in this Action.

Lead Counsel is currently aware of no opposition to this application.

This application is based upon the Memorandum of Law in Support of Lead Counsel's Application for an Award of Attorneys' Fees and Expenses, the Joint Declaration of David R. Stickney and Arthur C. Leahy in Support of Motion for Final Approval of Settlement and Plan of Allocation, and Application for an Award of Attorneys' Fees and Expenses, the exhibits thereto,

the record and proceedings in this Action, and such other matters the Court may consider at the time of the hearing.

Dated: November 13, 2014
San Diego, California

Respectfully submitted,

**BERNSTEIN LITOWITZ BERGER &
GROSSMANN LLP**

By: /s/ David R. Stickney

David R. Stickney
Niki L. Mendoza
Richard D. Gluck
Matthew P. Jubenville
12481 High Bluff Drive, Suite 300
San Diego, CA 92130
Tel: (858) 793-0070
Fax: (858) 793-0323
davids@blbglaw.com
nikim@blgglaw.com
richard.gluck@blbglaw.com
matthewj@blbglaw.com

- and -

Max W. Berger
David L. Wales
Jeroen Van Kwawegen
Katherine Stefanou
1285 Avenue of the Americas, 38th Floor
New York, NY 10019
Tel: (212) 554-1400
Fax: (212) 554-1444
MWB@blbglaw.com
davidw@blbglaw.com
jeroen@blbglaw.com
katherine.stefanou@blbglaw.com

**ROBBINS GELLER RUDMAN
& DOWD LLP**

By: /s/ Daniel S. Drosman

Arthur C. Leahy
Daniel S. Drosman
Darryl J. Alvarado

Angel P. Lau
655 W. Broadway, Suite 1900
San Diego, CA 92101-3301
Tel: (619) 231-1058
Fax: (619) 231-7423
art@rgrdlaw.com
dand@rgrdlaw.com
dalvarado@rgrdlaw.com
alau@rgrdlaw.com

*Co-Lead Counsel for Plaintiffs and the
Settlement Class*